



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

February 3, 2009

CERTIFIED MAIL

VN No. VN-003856

Mr. John Beatty
Diamond Chrome Plating Incorporated
604 South Michigan Avenue
Howell, Michigan 48843

Dear Mr. Beatty:

SUBJECT: National Pollutant Discharge Elimination System (NPDES) Permit No. MI0058204
Designated Name: Diamond Chrome Plating Inc
Consent Decree, *MDEQ v Diamond Chrome Plating Inc*
Violation Notice

The Department of Environmental Quality (DEQ), Water Bureau (WB), has been notified that the Diamond Chrome Plating Incorporated (DCP) is in violation of Part 31 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and National Pollutant Discharge Elimination System (NPDES) Permit No. MI0058204, which was issued on August 16, 2007, and became effective November 1, 2007. In addition, DCP has failed to implement the Pollutant Minimization Plan (PMP) required in paragraph 5.4(a) of the Consent Decree, Case No. 03-1862-CE (Consent Decree).

DCP was required to implement and submit a quarterly report by December 26, 2008, for a PMP for hexavalent chromium, cadmium, zinc, and total chromium under Paragraph 5.4(a) of the Consent Decree. No quarterly report has yet been received and it was reported to us that no PMP monitoring was conducted during that period. Inadequate staffing appears to be associated with this ongoing compliance issue. The failure to conduct required monitoring and submit a quarterly report by December 26, 2008, is a violation of the Consent Decree.

DCP has reported the monitoring violations listed below in Table 1 occurring between July 31, 2008 through October 16, 2008. These monitoring results are violations of your permit.

Table 1: Effluent Limit Violations, July through December 2008

DATE	PARAMETER	EFFLUENT LIMITATION		REPORTED VALUES	
		Daily Minimum	Daily Maximum	Daily Minimum	Daily Maximum
07/02/08	Total Cadmium	---	55 ug/l	---	90 ug/l
07/12/08	Total Cadmium	---	55 ug/l	---	130 ug/l
07/16/08	Total Cadmium	---	55 ug/l	---	61 ug/l
07/31/08	Hexavalent Chromium	---	32 ug/l	---	47 ug/l
07/31/08	Total Cadmium	---	55 ug/l	---	76 ug/l
08/07/08	Total Cadmium	---	55 ug/l	---	110 ug/l
08/10/08	Hexavalent Chromium	---	32 ug/l	---	46 ug/l
09/14/08	Hexavalent	---	32 ug/l	---	78 ug/l

	Chromium				
10/16/08	pH	6.5 S.U.	9.0 S.U.	5.85 S.U.	---

In addition, DCP failed to sample for mercury in the month of August as required. These effluent limit violations and failure to monitor are violations of your NPDES permit.

The effluent limit violations identified in this Violation Notice have ceased, but DCP's failure to implement the PMP and submit a quarterly report are continuing violations.

The violations identified in the Violation Notice are violations of Part 31, NPDES Permit No. MI0058204 and the Consent Decree.

DCP should take immediate action to achieve and maintain compliance with the terms and conditions of NPDES Permit No. MI0058204 and the Consent Decree.

Please submit a written explanation to this office by **March 6, 2009**, regarding why the PMP was not fully implemented in the fourth quarter of 2008, why effluent limits were violated in July through October 2008, and how DCP plans to avoid such violations in the future. At a minimum, the response shall include:

1. An explanation of why the PMP monitoring (and any other tasks not completed) was not implemented in the fourth quarter of 2008.
2. A fourth quarter PMP report for 2008 describing any efforts completed.
3. Please specifically discuss how DCP will provide adequate staffing and resources to implement this effort.
4. An explanation for each of the effluent limit and monitoring violations.
5. A discussion regarding how DCP will avoid future effluent limit and monitoring violations.

If you have any factual information you would like us to consider regarding the violations identified in this Notice, please provide them with your written response.

We anticipate and appreciate your cooperation in resolving this matter. If you have any questions regarding this Notice or if you would like to arrange a meeting to discuss it, please contact me.

Sincerely,

Carla Davidson
Environmental Quality Analyst
Field Operations Division, Lansing District
Water Bureau
517-335-6106

cc: Mr. Tom Poplawski, DCP
Ms. Beth Gotthelf, Butzel Long
Mr. Scott Adamoski, CRA
Ms. Gretchen McKernan, CRA
Mr. Kenneth Damrel, DEQ AQD
Ms. Rebecca Taylor, DEQ RRD
Mr. William Yocum, DEQ WHMD